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Message Text

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ACTION EUR-12

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C O N F I D E N T I A L MOSCOW 01585

BELGRADE FOR USDEL CSCE

E.O. 11652: GDS
TAGS: PINT PGOV, CSCE, SHUM, UR
SUBJECT: SHCHRANSKIY CASE AND REFUSENIK DEVELOPMENTS

REF: MOSCOW 1061

SUMMARY: REFUSENIK SOURCESHAVE GIVEN US SOME ADDITIONAL BACKGROUND INFORMATION ON THE SHCHARANSKIY CASE, THEIR ACTIVITIES IN HIS DEFENSE AND OTHER ACTIVITIES RELATED TO THEIR EFFORTS TO GAIN EXIT PERMISSION. END SUMMARY.

1. SHCHARANSKIY CASE. REFUSENIKS VIEW SHCHRANSKIY PRIMARILY AS ONE OF THEM --A JEWISH REFUSENIK-RATHER THAN AS A DISSIDENT. THEY ARE VERY ACTIVE IN HIS CASE AND SEEK AND RECEIVE HELP ABROAD BECAUSE HE IS JEWISH. THEY, AND THEIR FOREIGN SUPPORTERS, FEAR THE ANTI-SEMITIC OVERTONES OF THE CASE AGAINST HIM AND ARE CONCERNED THAT A TRIAL WOULD RELEASE THE WIDESPREAD ANTI-SEMITISM WHICH THEY ARE CONVINCED EXISTS IN THE SOVIET UNION. THEY ARE ALSO CONCERNED BECAUSE IF WHAT HE DID IS ILLEGAL, THEIR MEETINGS WITH FOREIGNERS, ALMOST THE ONLY WAY THEY HAVE LEFT TO CONTACT THEIR SUPPORTERS ABROAD, ARE ALSO BY CONFIDENTIAL

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IMPLICATION ILLEGAL. OUR SOURCES BELIEVE THAT HUMAN RIGHTS ACTIVISTS HAVE BEEN MUCH LESS ACTIVE IN GINZBURG AND ORLOV CASES BECAUSE MANY OF THEM HAVE BEEN PUSHED OUT OF THE COUNTRY AND BECAUSE THEY GET LESS HELP FROM ABROAD. ACCORDING TO OUR SOURCES, REFUSENIKS HAVE BEEN ADVISED BY SOME OF THEIR FOREIGN SUPPORTERS TO CONCENTRATE THEIR EFFORTS ON SHCHARANSKIY CASE BECAUSE THE SUPPORTERS DO NOTHAVE UNLIMITED INFLUENCE.

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2. MOSCOW REFUSENIKS CLAIM THAT 100 TO 110 REFUSENIKS THROUGHOUT THE COUNTRY HAVE BEEN INTERROGATED BY KGB IN SHCHARANSKIY INVESTIGATION. MANY OF THOSE OUTSIDE MOSCOW WERE UNAWARE OF EXISTENCE OF REFUSENIK ACTIVISTS IN MOSCOW UNTIL BEING WARNED BY KGB TO STAY AWAY FROM REFUSENIKS WUCH AS ALEKSANDR SLEPAK AND DINA BEILIN. AT LEAST SOME OF THE OUT-OF-TOWNERS THEN TRAVELLED TO MOSCOW AND GOT INTO CONTACT WITH MOSCOW ACTIVISTS AT SYNAGOGUE. MANY OF THOSE INTERROGATED, WHO REFUSED TO PROVIDE ANY INFORMATION WHICH COULD BE USED AGAINST SHCHARANSKIY, AFTERWARD WROTE STATEMENTS ABOUT WHAT THEY SAID AND SENT THEM ABROAD SO THAT REFUSENIKS COULD NOT BE MISQUOTED DURING TRIAL.

3. REFUSENIKS HAVE ACCESS TO INFORMATION FROM THE MOSCOW LAWYER'S ASSOCIATION AND BELIEVE THEY WOULD KNOW IF ONE OF ITS MEMBERS HAD BEEN SELECTED TO DEFEND SHCHARANSKIY. THEY HAVE HEARD NOTHING ON THIS SCORE, DESPITE FACT THAT JANUARY 25 DATE WHICH KGB TOLD MRS. MILGROM WOULD BE DEADLINE FOR FINDING A LAWYER HAS PASSED. MRS. MILGROM HAS NOT MADE A SERIOUS ATTEMPT TO FIND A SOVIET LAWYER FOR HER SON, ACCORDING TO OUR SOURCES, BECAUSE SOVIET ATTORNEYS WHOSE OPINIONS SHE ACCEPTS HAVE TOLD HER THEY WOULD HAVE NO CHANCE OF MOUNTING AN EFFECTIVE DEFENSE (REFTEL).

4. SIX REFUSENIKS RECENTLY WENT TO OFFICE OF CHIEF PROSECUTOR RUDENKO TO DISCUSS SHCHARANSKIY CASE. THEY WERE RECEIVED BY HIS ASSISTANT, WHOSE LAST NAME IS TIBULNIK (PHON.). IN RESPONSE TO CONFIDENTIAL

THEIR QUESTIONS, HE TOLD THEM THAT SUPREME SOVIET HAD RIGHT TO EXTEND PRE-TRIAL DETENTION, DID NOT HAVE RIGHT TO PUT A PERSON TO DEATH, AND DID NOT HAVE RIGHT TO IMPRISON A PERSON FOR LIFE. WHEN TOLD THAT THIS WAS CONTRADICTORY, SINCE SIX MONTH PRE-TRIAL EXTENSIONS COULD, IF LEGAL, PRESUMABLY BE EXTENDED INDEFINITELY, AMOUNTING TO LIFE IMPRISONMENT, HE REPORTEDLY GOT UPSET.

5. SHCHARANSKIY KNEW, PRIOR TO HIS ARREST, THAT IF THERE WAS TO BE AN ARREST AMOUNG THE REFUSENIK ACTIVISTS, HE WOULD BE SELECTED, ESSENTIALLY BECAUSE HE WAS YOUNG, HEALTHY, MALE AND NOT PARTICULARLY WELL KNOWN ABROAD. DINA BEILIN AND IDA NUDEL WERE UNLIKELY BECUASE FEMALE; ALEKSANDR LERNER BECAUSE ILL; ALEKSANDR SLEPAK BECAUSE OF HIS FAMILY AND INTEREST PRESIDENT CARTER HAD SHOWN IN THIS CASE.

6. OTHER ARRESTED REFUSENIKS. LEV ROTYLAND, WHO WAS ARRESTED IN 1975 AND GIVEN TWO YEARS IN PRISON ESSENTIALLY BECAUSE OF HIS EFFORTS TO SEE VISITING U.S. SENATORS, WAS RELEASED RECENTLY AND RETURNED TO ODESSA. SUBSEQUENT TO HIS RELEASE, HE WAS REFUSED EXIT PERMISSION, WHICH REFUSENIKS BELIEVE IS A BAD PRECEDENT. IN PAST, ARRESTED REFUSENIKS USUALLY HAVE BEEN GIVEN EXIT PERMISSION FOLLOWING RELEASE FROM PRISON.

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7. THE INTERNAL EXILE OF IOSIF BEGUN, WHICH OCCURRED FOLLOWING
HIS EFFORTS TO VISIT U.S. EMBASSY IN SPRING OF 1977, IS DUE TO
END IN FEBRUARY.

8. DEMONSTRATION. TEN REFUSENIK WOMEN, WHOSE FAMILIES WERE
DENIED EXIT PERMISSION BECAUSE OF THEIR ALLEGED CLASSIFIED WORK,
HELD A DEMONSTRATION AT CC HEADQUARTERS ON JANUARY 27. KGB WAS
AWARE OF INTENDED DEMONSTRATION AND INITIALLY WARNED THEM AGAINST
IT, BUT THE WOMEN WERE FINALLY RECEIVED BY A.I. IVANOV, WHO
THEY WERE TOLD WAS CHIEF OF A SECTION IN CC ADMINISTRATIVE
DEPARTMENT. THE WOMEN WERE PARTICULARLY AMUSED BY THE PRESENCE
OF THE HEAD OF THE ALL-UNION OVIR, SERVING AS SECRETARY AND
BUSILY SCRIBBLING NOTES OF THE DISCUSSION.
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9. PETITION TO U.S. CONGRESS. REFUSENIKS ARE PREPARING A
PETITION TO BE SENT TO CONGRESS THANKING THAT BODY FOR ITS
SUPPORT, STATING THAT THEY DO NOT BELIEVE SITUATION HAS IMPROVED
IN SOVIET UNION, AND SUPPORT JACKSON/VANIK AMENDMENT. THEY
EXPECT TO HAVE ABOUT 200 SIGNATURES ON THE PETITION.
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